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Counsel for Jason M. Rund,  
Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES DIVISION

In Re:

JACK MARSH,

Debtor.

Case No.: 2:15-bk-10418-SK

Chapter 7

**NOTICE OF TRUSTEE'S MOTION  
FOR ORDER APPROVING  
COMPROMISE OF CONTROVERSY  
AND APPROVING FORM OF  
SETTLEMENT AGREEMENT**

[No hearing required]

**TO THE HONORABLE SANDRA KLEIN, UNITED STATES BANKRUPTCY JUDGE, AND  
INTERESTED PARTIES:**

**NOTICE IS GIVEN** that Jason M. Rund, the Chapter 7 trustee (the "Trustee") of the  
bankruptcy estate of Jack Marsh (the "Debtor"), has filed a motion for an order approving compromise  
of controversy and approving the form of the settlement agreement (the "Settlement Agreement")  
entered into by and between the Trustee and Matthew Marsh. The Trustee and Marsh are hereinafter  
collectively referred to as the "Parties."

The Settlement Agreement provides that judgment (the "Judgment") shall be entered in the  
adversary proceeding Rund v. Matthew Marsh, 2:15-ap-01142 (the "Adversary Proceeding). The  
Judgment is against Matthew Marsh and in favor of the Trustee in the amount of \$125,000.00.

1 The Trustee believes that this compromise is fair and reasonable given the circumstances. The  
2 Judgment represents the full amount of damages that the Trustee sought against Matthew Marsh in the  
3 Adversary Proceeding. The settlement allows the Trustee to obtain the Judgment without the risk and  
4 expense of further litigation.

5 The terms and conditions of the compromise are set forth in the Settlement Agreement attached  
6 to the Declaration of Jason M. Rund (the "Rund Declaration") in support of the Motion as **Exhibit 1**.

7 This Motion is based upon Fed. R. Bankr. P. 9019(a), Local Bankruptcy Rules 9019-1 and  
8 9013-1(o)(1), the Memorandum of Points and Authorities, the Rund Declaration, the Request for  
9 Judicial Notice, and the separate Notice of Motion concurrently filed herewith and served upon all  
10 interested parties pursuant to Fed. R. Bankr. P. 2002(a), all pleadings and records on file herein, all  
11 matters that are subject to judicial notice, and all other evidence that may be introduced at or prior to  
12 any hearing on this Motion.

13 Based on the foregoing, the Trustee respectfully requests this court enter an order:

14 1. Approving the Trustee's compromise of controversy between the Trustee and Matthew  
15 Marsh as being in the best interest of the estate and as an exercise of the Trustee's reasonable business  
16 judgment;

17 2. Approving the form of the Settlement Agreement memorializing the terms of the  
18 compromise that is the subject of this Motion;

19 3. Decreeing that the Proposed Judgment attached to the Rund Declaration as **Exhibit 2**  
20 will be entered;

21 4. Providing that if the Judgment is paid within 180 days from the date of entry, Matthew  
22 Marsh is entitled to a 25% discount as satisfaction in full of the Judgment;

23 5. Adequate notice of the Motion was provided to all interested parties; and

24 6. Authorizing the Trustee to execute any and all documents necessary to effectuate the  
25 compromise that is the subject of this Motion; and

26 7. Granting any other and further relief as may be just and proper.

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**Procedure for Obtaining Copy of Motion**

A copy of the Motion may be obtained from the Bankruptcy Court or from:

Angie S. Lee, Esq.  
Sheridan & Rund, PC  
840 Apollo Street, Suite 351  
El Segundo, CA 90245  
Telephone: (310) 640-1200  
Facsimile: (310) 640-0200  
Email: angie@srlawyers.com

**Procedure for Objecting to the Motion and/or Requesting a Hearing**

Any response to the Motion or request for a hearing must be made in the form required by Local Bankruptcy Rule 9013-1(f)(1) and must be filed with the Court and served upon the Trustee, Jason M. Rund, 840 Apollo Street, Suite 351, El Segundo, CA, 90245 and Angie S. Lee, Sheridan & Rund, PC 840 Apollo Street, Suite 351, El Segundo, CA 90245; and upon the United States Trustee, 915 Wilshire Boulevard, Suite 1850, Los Angeles, California 90017, not later than 14 days from the date of service of this notice, plus an additional three days unless this Notice was served by personal delivery or posting as described in FRCP 5(b)(2)(A)-(B).

DATED: January 13, 2016

SHERIDAN & RUND, PC

By: /s/ Angie S. Lee  
ANGIE S. LEE  
SHAWN KAHROBA  
Counsel for Jason M. Rund, Chapter 7 Trustee

**PROOF OF SERVICE OF DOCUMENT**

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

SHERIDAN & RUND  
840 Apollo Street, Suite 351  
El Segundo, CA 90245

A true and correct copy of the foregoing document entitled (*specify*): Notice of Trustee's Motion for Order Approving Compromise of Controversy and Approving Form of Settlement Agreement will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On January 13, 2016, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

United States Trustee (LA), ustpregion16.la.ecf@usdoj.gov  
Chapter 7 Trustee: Jason M. Rund, trustee@srlawyers.com, jrund@ecf.epiqsystems.com  
Counsel for Debtor/Defendant: Donny A. Ekine, inyelaw@dslextreme.com

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On January 13, 2016, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 13, 2016  
Date

Laura Gitnick  
Printed Name

/s/ Laura Gitnick  
Signature

SERVICE LIST

1	<u>Debtor</u>	MEDCOAST AMBULANCESERV
	Jack R Marsh	14325 Iseli Road
2	2010 Caddington Drive	Santa Fe Spring, CA 90670
	Rancho Palos Verdes, CA 90275	
3		MIDLAND FUNDING, LLC
	<u>Defendant</u>	Original Creditor: CHASE BANK USA
4	Matthew Marsh	Attn: Chief Compliance Officer
	PO Box 6725	8875 Aero Drive, Suite 200
5	San Pedro, CA 90734	San Diego, CA 92123-2255
6	<u>All Creditors of the Estate</u>	NATIONAL CITY BANK
	ALLIANCE ONE	GREENTREE SERVICING LLC
7	Original Creditor: CAPITAL ONE BANK	7360 S. Kyrene Road
	P.O. Box 3111	Tempe, AZ 85283-8432
8	Southeastern, PA 19398-3111	
9	BANK OF AMERICA	VAN LINGEN TOWING. INC
	1800 Tapo Canyon	2755 Lomita Boulevard
10	Simi Valley, CA 93063-6712	Torrance, CA 90505-5224
11	BAY ALARM	YOCIS & COX
	P.O. Box 8140	340 Golden Shore, Suite 230
12	Walnut Creek, CA 94596-8140	Long Beach. CA 90802-4229
13	CHASE BANK USA	
	P.O. Box 15298	
14	Wilmington, DE 19850-5298	
15	CREDIT BUREAU ASSOCIATES	
	Original Creditor: GDCOAST AMB SERV	
16	460 Union Avenue	
	Fairfield, CA 94533-6334	
17	LAW OFFICE OF ERIC OLSON	
18	100 W. Broadway, Suite 600	
	Glendale, CA 91210	
19	LAW OFFICE OF MATTHEW C. BROWN	
20	LASC Case No: 8P129720	
	790 East Green Street	
21	Pasadena CA 91101-2665	
22	LAW OFFICES OF JAMES P.	
	THOMPSON	
23	LASC Case No: 14F07023	
	25149 Ebony Lane	
24	Lomita, CA 90717-1971	
25	LIEN ENFORCEMENT, INC.	
	Original Creditor: VAN LINGEN	
26	TOWING, IN	
	P.O. Box 3000E	
27	San Jose, CA 95156-0005	
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